

**MINUTES
COLUMBUS BOARD OF ZONING APPEALS
JULY 29, 2008
COUNCIL CHAMBERS, 2nd FLOOR, CITY HALL
123 WASHINGTON STREET
COLUMBUS, INDIANA**

Members Present: Mary Ferdon, Chairperson; Dave Bonnell, Secretary;
Lou Marr, Jeff Sharp and Tom Wetherald

Staff Present: Laura Thayer, Assistant Planning Director; Emilie Pannell,
Associate Planner, Heather Pope Senior Planner, Alan
Whitted, Deputy City Attorney; Stephanie Carr, and Bill
Klakamp, Code Enforcement

PUBLIC MEETING

Mary Ferdon, Chairperson, opened the meeting with a brief explanation about the Board and its responsibilities.

The petitions and staff comments are a permanent record at the Planning Department.

Alan Whitted, Deputy City Attorney, administered the oath to all in attendance that would be speaking.

OLD BUSINESS REQUIRING BOARD ACTION

C/DS-08-04: All-Phase Electric Supply

All-Phase Electric Supply is a request for a development standards variance from the requirement to provide a 100% opaque fence and a Buffer Yard Type B as screening for outdoor storage, per Zoning Ordinance Section 6.1(C)(3)(i)(i). The property is located at 213 Vollmer Street in the City of Columbus.

Mr. Daugherty began by addressing the 2 criterion that had not been met.

Joel Parthun of All-Phase Electric Supply stated his name and address into the record.

Heather Pope read the background along with the finding of facts and a visual presentation was presented.

Mr. Parthun stated that he would like to put an opaque fence up because he believed it would look much nicer. He said that he would not have any trouble putting shrubbery around the building but he did not want to tear up any of his parking lot.

Mr. Parthun stated that the ordinance said that he could not use any kind of chain link or screening fence, it had to be masonry or wood and he did not think a wood fence would last. He said he thought with a wood fence there would be constant repairs that would have to be done. Mr. Parthun said he thought the iron fence would look better and last longer.

There was a brief discussion on the landscaping and the ordinance and how much would be required for that particular zoning district.

Mr. Parthun said that he would do the landscaping but he did not want to block the view of his business sign that faces 2nd street.

The meeting was opened to the public.

Curt Aton stated his name and address into the record.

Mr. Aton who is the owner of the car wash next door said he thought Mr. Parthun was right about the landscaping and he did agree that the enclosure should be a structure you could not see through.

The meeting was closed to the public.

Mr. Ferdon asked if they had considered a masonry fence.

Mr. Parthun said that it was very costly and his boss said that if they would ever want to move their business that it would ruin the resale of the building because not everybody would use the fence and masonry would have to be torn down.

Ms. Ferdon said that she thought that it would be in the petitioner's best interest to continue the request and have Mr. Parthun work with Ms. Pope on a landscaping plan and come back next month to the next meeting.

Ms. Marr made a motion to continue **C/DS-08-04** seconded by Jeff Sharp. The motion was continued 4-0.

C/CU-08-04: Faith, Hope and Love Church:

The Faith Hope and Love Church is a request for a conditional use approval for a worship facility in the RS-2 (Single Family Residential) zoning district. The property is located at 1395 West County Road 200 South in Columbus Township.

Ms. Ferdon began the meet by reading a letter submitted by the Faith, Hope and Love Church requesting a continuance. Lou Marr made a motion to continue **C/CU-08-04**. It was seconded by Dave Bonnell motion passed 4-0.

C/CU-08-05: First Financial Bank

First Financial Bank is a request for a conditional use approval for a drive through facility to be located in the CD (Downtown Commercial) zoning district as provided by Zoning Ordinance Table 6.1. The property is located on the southwest corner of 3rd and Brown Streets in the City of Columbus.

Ms. Marr asked Ms. Ferdon if she could be excused from this case because of a conflict of interest. She was then excused and left the room.

Petitioners Richard Cooksey and Jeff Hartley stated their names and addresses for the record.

Emilie Pannell read the background and a visual presentation was presented.

Ed Curtin Executive Director, of the Redevelopment Commission had submitted a letter in support of the development.

There was a brief discussion on the landscaping.

Mr. Cooksey stated that they would be back for a variance on the parking along 2nd street and that the ordinance stated that the drive through needed to be a separate filing.

There was no one to speak at the public hearing.

Dave Bonnell made a motion to approve **C/CU-08-05** for a drive through facility, incorporating the provisional finding for Criterion 1, with Criterion 2 being met because the applicant will request a variance from the requirement that parking spaces cannot be located in the front yard, and Criterion 3 and 4 being met because the applicant will revise the landscape plan to reflect an urban character to the satisfaction of Planning Department staff; with the following conditions: 1) that the landscaping be modified to reflect a more urban character to the satisfaction of the Planning Department staff; and 2) proof of ownership be submitted.

Jeff Sharp seconded the motion and it passed 4-0.

C/DS0-08-06: Joseph E. Fitzgerald:

Joseph E. Fitzgerald is requesting a developmental standards variance to encroachment of 9.2 feet, per Zoning Ordinance Section 3.5(C). The property is located at 3692 West North Woodlake Drive in the City of Columbus.

Joseph Fitzgerald and Jane Thomas stated their names and address into the record.

Heather Pope read the background and a visual presentation was presented.

Mr. Fitzgerald said that Woodlake did not allow storage buildings and they were very short of storage. He said that they felt adding on to the garage would be the most feasible way to add on and that it would be the same design on the outside of the building.

The meeting was opened to the public.

Since there was no one to speak at the public hearing, the meeting was closed.

There was a brief discussion on the re-zoning the property.

Mr. Fitzgerald said the Home Owners Association would also need to approve the addition when they apply for the building permit, if the variance is granted.

Jeff Sharp made a motion to approve **C/DS-08-06** to allow the variance and accept the provisional findings of fact on Criteria 1 and 2, and Criterion 3 being met because the bylaws of the Home Owners Association do not allow outbuildings for any kind of storage.

Lou Marr seconded the motion and it passed 4-0.

FINDINGS OF FACT

The following finding of fact was presented to the Board for consideration:

C/DS-08-04: T & K Rentals

Dave Bonnell made a motion to accept the findings of fact, and it was seconded by Jeff Sharp. The motion carried with a vote of 5-0.

APPROVAL OF MINUTES

Upon the motion made by Dave Bonnell and seconded by Jeff Sharp the minutes of June 24, 2008 meeting were approved by a vote of 4-0.

DISCUSSION

There being no further business the meeting was adjourned.

Mary Ferdon, Chair

Dave Bonnell, Secretary